

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ruben Augustus Starks

Docket No. 5:17-CR-52-1FL

Petition for Action on Supervised Release

COMES NOW Julie Wise Rosa, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ruben Augustus Starks, who, upon an earlier plea of guilty to Conspiracy to Possess With Intent to Distribute and Distribute Heroin and Cocaine Base, 21 U.S.C. § 846, was sentenced by the Honorable Raymond A. Jackson, United States District Judge for the Eastern District of Virginia, on March 13, 2003, to the custody of the Bureau of Prisons for a term of 360 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On January 5, 2005, pursuant to Rule 35(b), the sentence was reduced to 180 months. Ruben Augustus Starks was released from custody on January 14, 2016, at which time the term of supervised release commenced. On January 18, 2017, the Eastern District of Virginia was notified of the defendant's positive urinalysis results for cocaine (October 5, 2016, and January 4, 2017). Jurisdiction was transferred to the Eastern District of North Carolina on February 14, 2017.

On March 22, 2017, the court was notified of the defendant's positive urinalysis results for cocaine. Substance abuse treatment was increased and supervision was continued.

On February 10, 2018, the court was notified of the defendant's arrest in Norfolk, Virginia, for Driving While Impaired.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 1, 2018, Starks was found guilty of Driving While Impaired (offense previously report to the court on February 10, 2018). He was sentenced to 12 months probation and ordered to pay a \$250 fine in addition to \$214 court costs. In response to this conviction, the probation office believes that participation in a cognitive behavioral program is appropriate. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

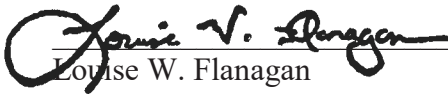
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/ Julie Wise Rosa
Julie Wise Rosa
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8675
Executed On: October 29, 2018

ORDER OF THE COURT

Considered and ordered this 30th day of October, 2018, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
United States District Judge